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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

WILLIAM THOMAS,

Defendant and Appellant.

B223177

(Los Angeles County
Super. Ct. No. BA360124)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Clifford L. Klein, Judge. Affirmed.

Anna Krausz, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

In July 2008 William Thomas walked into a retail store, pointed a gun at both the store owner and an employee, picked up merchandise and left. In August 2009 Thomas cut a hole in the ceiling and entered the same store through the air conditioning unit after business hours and took merchandise.

Thomas was charged in an amended information with one count of second degree robbery (Pen. Code, § 211)¹ and one count of second degree burglary (§ 459). It was specially alleged as to the first count that Thomas had used a firearm in committing the offense. (§ 12022. 53, subd. (b).) It was specially alleged to both counts that Thomas had previously suffered a serious or violent felony conviction within the meaning of the “Three Strikes” law (§§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d)) and section 667, subdivision (a)(1).

A jury convicted Thomas of second degree robbery and found true the firearm-use allegation, but acquitted him of the burglary charge. In a bifurcated proceeding Thomas waived his right to trial and admitted the prior conviction allegations.

The trial court sentenced Thomas to an aggregate state prison term of 21 years, consisting of six years for robbery (double the middle term of three years under the Three Strikes law), plus 10 years for the firearm-use enhancement, plus five years for the section 667, subdivision (a)(1) enhancement.² Thomas received presentence custody credits of 251 days (219 actual days and 32 days of conduct credits). The court ordered Thomas to pay a \$30 security assessment, a \$30 criminal conviction assessment and a \$200 restitution fine. The court imposed and suspended a parole revocation fine pursuant to section 1202.45.

¹ Statutory references are to the Penal Code.

² The trial court also found Thomas in violation of probation in Los Angeles Superior Court case No. BA347494 and imposed a concurrent term of 16 months.

Thomas filed a timely notice of appeal. We appointed counsel to represent Thomas on appeal. After examination of the record counsel filed an opening brief in which no issues were raised. On August 30, 2010 we advised Thomas he had 30 days within which to personally submit any contentions or issues he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied Thomas's attorney has fully complied with the responsibilities of counsel and no arguable issues exist. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

PERLUSS, P. J.

We concur:

WOODS, J.

JACKSON, J.